



**VILLAGE OF COMMERCIAL POINT  
COUNCIL MEETING MINUTES  
August 3, 2020**

Mayor Goldhardt called the meeting to order. Administrative Assistant Baldwin took roll call with the following members present: Mr. Grassel, Mr. Mitchem, Ms. Joiner, Mr. Moore and Ms. Wolfe. Mr. Thompson was not present.

A motion to approve the July 20, 2020 COW Meeting Minutes was made by Mr. Moore and seconded by Mr. Mitchem. All members present were in favor and the motion passed.

A motion to approve the July 20, 2020 Regular Meeting Minutes was made by Mr. Moore and seconded by Mr. Mitchem. All members present were in favor and the motion passed.

Administrative Reports:

- A. Mayor's Report - Nothing to report at this time.
- B. Village Solicitor's Report - Solicitor Cartee discussed the details of Ordinance 2020-14 which is up for a first read.
- C. Police Department Report - Nothing to report at this time.
- D. Village Administrator's Report - Administrator Crego discussed PFAS State wide testing. He said there will be testing for a chemical in subject areas, which includes our area. He discussed the need for a future Waste Water Plant. He said in order to have a full build out, we will need space for a 4-million GPD sewer plant. He advised council that he attends the weekly contractor meetings for the new water plant. Mr. Moore asked if the results from the EPA State Wide testing would be shared. Utility Superintendent Thompson said yes and he will report back to Council with the results.
- E. Village Engineer's Report – Engineer Grosse reported that the work on Walker Point, Phase 4 is ongoing. He said sanitary sewer installation has started. He also said that the school entrance is 90% complete. He noted that the plat and performance bond have been submitted.

A pre-construction meeting for the earth work only was held with M/I Homes. He said there is a meeting set up with ODOT next week to discuss the widening of State Route 104 and the entrances for the Foxfire project and the Van Trust project.

Engineer Grosse informed Council that the curbs and paving have been completed in Phase 1 of Scioto Crossing. Phase 2 is just about finished as well. He said the Final Plat for Phase 1 will be signed once the performance bond has been submitted. He informed council that the Technical Review Group have approved the construction plans for Phases 3, 4 & 5 of Scioto Crossing.

He said plans have been submitted to the Ohio EPA for the Influent lift station for the new industrial project.

He has a meeting set with the Township trustees and Watcom Engineering next week to review the Walker Road improvements.

Mr. Moore said he has received complaints with regard to dust control measures. He asked if there is someone to reach out to about this. Engineer Grosse said they can submit to the village and it will be sent on to the correct channels. Engineer Grosse said that a water truck is onsite every day.

- F. Zoning Administrator's Report - Zoning Administrator Kuzelka discussed a couple of issues regarding properties in the village and the plan to correct those issues. He said Genoa Crossing has been cleaned up but most of their zoning permits have expired.



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G. Fiscal Officer's Report – Fiscal Officer Hastings reported the Fund Status as of 7/31/2020 is as follows:  
General \$2,170,489.05, Street Construction & Repair \$396,387.29, State Highway \$29,726.42, Parks & Recreation \$6,719.07, Permissive Motor Vehicle License Tax \$8,098.52, Enforcement & Education \$1,824.39, Housing Developments \$283,673.82, Other Special Revenue \$201,295.74, Other Capital Projects \$5,180.00, Water Operating \$1,796,210.73, Sewer Operating \$3,368,091.56, Garbage Operating \$38,855.86.

Legislative Reports:

- A. Bruce Moore- Mr. Moore asked about posting the meeting videos on the website. Mayor Goldhardt advised we need a new camera. Mr. Moore asked Mayor Goldhardt to look into a new camera. Mr. Moore said he noticed we have nothing regarding the State Route 762 access road agreement. Solicitor Cartee advised Council that we are close to an agreement.
- B. Tracy Joiner - Nothing to report at this time.
- C. Laura Wolfe - Nothing to report at this time.
- D. Ryan Mitchem - Nothing to report at this time.
- E. Aaron Grassel - Nothing to report at this time.

Citizen Comments

Ms. Nancy Geiger addressed council. She said she does not understand why the COW meetings do not start at 6:00 p.m. She asked if they cannot begin at that time, could council do their best to remain on task. She said the only member that speaks is Mr. Moore. She would like to hear from the other Council members, but stay on task and practice better time management. She said the last regular meeting did not start until 8:10 p.m. and that is a long time to make the citizens sit and wait.

She voiced her concern about the topic of open ditches verses curbs and gutters. She was taken back by council not giving much consideration to their own Engineer's recommendation to require curbs and gutters.

She also brought up Solicitor Cartee's comment about how council members should not be calling each other between meetings to discuss Council business. She said she overheard a conversation by a developer's attorney. He stated that he had spoken with Mr. Thompson about an issue. He said he was sure that Mr. Thompson and Mr. Moore were on board and would vote their way.

Business Items:

- A. TIRC Board Appointments – Mayor Goldhardt said he recommends appointing Wendy Hastings and Margie Weaver to fill the TIRC Board positions for the Village. They would be required to attend one meeting a year in Circleville. Mr. Moore asked about Ms. Weaver's background. Mayor Goldhardt advised him of her credentials.  
A motion to confirm Mayor Goldhardt's appointments was by made by Mr. Moore and seconded by Ms. Joiner. All members present were in favor and the motion passed.
- B. Security Cameras – Mayor Goldhardt advised Council of the quote for installing security cameras at the police garage and the record retention center. The total for both was \$2,400.00. Mr. Moore asked why have another DVR system instead of networking into the current one. Mayor Goldhardt said the current system in the Municipal Building will not support that. A motion to have security cameras installed in the police garage and the record retention center was made by Ms. Joiner and seconded by Mr. Mitchem. All members present were in favor and the motion passed.
- C. Zoning Code Change – Mayor Goldhardt informed Council that this proposed change was in regards to development plans being submitted to the Village. The Zoning Code currently requires Council to decide



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on a development plan the meeting after it is submitted. He said Solicitor Cartee had suggested adding more time for the Council to review the plan. Ms. Joiner said she would like the additional time. Solicitor Cartee said the way it is currently written; council's only determination is to make sure the development plan complies with the preliminary plan. Mr. Moore and Ms. Joiner would like to have at least 30 days for review.

Mr. Moore asked about corner lots in subdivisions. He said the current zoning allows fence lines to go all the way up to the parallel sidewalk in the back of the yard with no setback requirement. He said coming around a corner makes it hard to see plus it's an eye sore. He asked if they want to leave it alone or make those changes. Administrator Crego said he believes there is a setback in the book. He said he would have to look into it.

- D. Administrative Employee Guidelines Changes – Mr. Moore said the requested changes address starting wages and top pay, but not raises. Solicitor Cartee said it is up to the discretion of the supervisor. A motion was made to approve the proposed changes to the Administrative Employee Guidelines as submitted by Ms. Joiner and seconded by Mr. Mitchem. All members present were in favor and the motion passed.

Legislation:

First Reading:

Ordinance 2020-14 AN ORDINANCE REDUCING WATER AND SEWER TAP FEES FOR QUALIFYING RESIDENTIAL PROPERTY OWNERS FOR A PERIOD OF ONE (1) YEAR, AND DECLARING AN EMERGENCY. Ms. Joiner said the ordinance does not clarify that this is only for residential property owners and that it is open to council discretion. Mayor Goldhardt said it does state that you previously had to have a septic tank or well. Solicitor Cartee said it only applies to property owners who have a private well or septic system. Fiscal Officer Hastings advised of a correction in Section 2. It should read three-fourths inch, not one inch. Mr. Moore asked about the service of the mobile home park. Administrator Crego said they are on our sewer system, but have their own water system. Solicitor Cartee discussed changing some of the language.

A motion was made to substitute some of the language in the ordinance by Mr. Moore and seconded by Ms. Joiner. All members present were in favor and the motion passed.

A motion was made to suspend the three readings by Mr. Moore and seconded by Ms. Joiner.

Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-Yes, Mr. Grassel-Yes, Mr. Mitchem-Yes, and Ms. Wolfe-Yes. The motion passed.

A motion was made to adopt Ordinance 2020-14 by Mr. Moore and seconded by Ms. Wolfe.

Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-Yes, Mr. Grassel-Yes, Mr. Mitchem-Yes, and Ms. Wolfe-Yes. The motion passed.

Resolution 21-2020 A RESOLUTION APPROVING THE PRELIMINARY SUBDIVISION PLAN APPLICATION FOR THE ENTRANCE AND STREET TO THE RICKENBACKER EXCHANGE (RESOLUTION II). Mr. Moore asked the timeframe. Mayor Goldhardt advised Council that they have 60 days from July 27<sup>th</sup> to approve or deny the Preliminary Subdivision Plan. Mr. Moore asked for feedback from Engineer Grosse. Engineer Grosse said he has looked at other developments and the majority have curbs and gutters. He said the cost to maintain curbs are not a major cost, but his concern on ditches are maintenance. He said council needs to have all of the facts before them. He said he would like to wait until the next meeting for everyone to have all of the information. Zoning Administrator Kuzelka distributed pictures he had taken of open ditches. He said if we get a rain like we have had, the bottom of the ditch will remain wet. He said as stuff grows at the bottom it seems to get bigger and not be maintained. He pointed out one example is the ditch in front of West Scioto Green. He also recommended curbs as the best way to go. Mr. Moore asked about requiring a concrete channel in the



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bottom of an open ditch. Engineer Grosse said open ditches are always a concern. Administrator Crego said he believes they owe it to themselves to go take a look in other areas. Mr. Moore said he has looked and has seen both situations. A representative for the developer stated that they would maintain the ditch for the first fifteen years. Mr. Moore asked Engineer Grosse if he knows how much money would be pulled from the TIFF agreement if curbs and gutters are required. Engineer Grosse said he doesn't have the figures for that at this time. Mr. Plank, the attorney for the developer, said that ditch maintenance could be noted on the Final Plat. He also asked about the time period for the sewer trunk line installation. Solicitor Cartee advised him that March 31, 2021 is the date that the Village would like it to be operational. Mr. Plank said that would be tight and more than likely it will be summer 2021. Engineer Grosse also discussed the 100-year flood plain and issues it could cause with ditches. Mr. Moore brought up mounding to form buffers. He asked if they would consider putting a path in between them. Ms. Joiner said she would like to see the cost of curbs and gutters verses open ditches. The rest of Council members agreed. The developer is to submit a cost estimate to Engineer Grosse to review and then forward to Council.

Resolution 22-2020 A RESOLUTION APPROVING THE MAJOR SITE PLAN APPLICATION FOR COI RICKENBACKER INDUSTRIAL LAND, LLC. Engineer Grosse said this has comments that need to be addressed and is not ready to be approved by Council.

Resolution 23-2020 A RESOLUTION APPROVING THE DEVELOPMENT PLAN APPLICATION FOR FOXFIRE SUBDIVISION SECTIONS 1, PART 1 & 2. Mayor Goldhardt informed Council that this is a resolution for the M/I Homes Development Plan Application and that Council must vote to approve or deny it tonight per the Zoning Code. Councils must determine if it complies with the previously approved Preliminary Plan. If so, Council is required to approve the resolution. Mr. Barkin, from M/I Homes said one of their promises was to put together a walk path plan for the community. He said two weeks ago they met with Mayor Goldhardt and presented a first draft to him that identified community assets. Mr. Moore asked if they made the same requirements which was to grant an easement to the village public over their greenspace. Mr. Barkin said the pool and playground equipment become an insurance issue because it is owned and operated by the HOA. Mr. Moore said the Village doesn't want ownership, just an easement so all children within the Village may play on the equipment.

A motion was made to suspend the three readings by Mr. Moore and seconded by Mr. Grassel.  
Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-Yes, Mr. Grassel-Yes, Mr. Mitchem-Yes, and Ms. Wolfe-Yes.  
The motion passed.

A motion was made to adopt Resolution 23-2020 by Mr. Moore and seconded by Mr. Grassel.  
Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-Yes, Mr. Grassel-Yes, Mr. Mitchem-Yes, and Ms. Wolfe-Yes.  
The motion passed.

**Second Reading:**

Resolution 20-2020 A RESOLUTION APPROVING THE DEVELOPMENT PLAN APPLICATION FOR SCIOTO CROSSING SECTIONS 3, 4 & 5. Mayor Goldhardt advised Council that this resolution is for another Development Plan and has the same requirements as the previous resolution. Mr. Moore confirmed that Westport would be willing to grant an easement to the park area. Mr. Andrews advised Council they would.

A motion was made to suspend the three readings by Mr. Moore and seconded by Ms. Wolfe.  
Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-Yes, Mr. Grassel-Yes, Mr. Mitchem-Yes, and Ms. Wolfe-Yes.  
The motion passed.

A motion was made to adopt Resolution 20-2020 by Ms. Joiner and seconded by Ms. Wolfe.  
Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-Yes, Mr. Grassel-Yes, Mr. Mitchem-Yes, and Ms. Wolfe-Yes.  
The motion passed.



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Third Reading:

Resolution 16-2020 A RESOLUTION ACCEPTING THE FINAL PLAT OF WALKER POINTE SECTION 4, PART 1. Mr. Moore provided the cost of playground equipment to the Steve Connie. Mr. Moore advised he would like to amend the approval to include the play craft information.

A motion was made to substitute some of the language in the ordinance by Mr. Moore and seconded by Ms. Wolfe. All members present were in favor and the motion passed.

A motion was made to adopt Resolution 16-2020 by Ms. Joiner and seconded by Mr. Moore.

Roll Call Vote: Mr. Moore-Yes, Ms. Joiner-Yes, Mr. Grassel-Yes, Mr. Mitchem-Yes, and Ms. Wolfe-Yes. The motion passed.

A motion to adjourn was made by Ms. Wolfe and seconded by Mr. Mitchem. All members present were in favor, the motion was passed and the meeting was adjourned.

Allan D. Goldhardt, Mayor

Wendy Hastings, Fiscal Officer

\*Minutes provided by Paula Baldwin, Administrative Assistant